

REMARKS

Claims 1, 4-5, 19, 22-23, 25, and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Number 7,007,152 to Pesola et al. (hereinafter Pesola).

Claims 2-3, 20-21, 26-27 and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pesola in view of United States Patent Number 6,772,209 to Chernock et al. (hereinafter Chernock). Claims 6 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pesola in view of United States Patent Publication 2004/0153614 by Bitner et al. (hereinafter Bitner). Claims 7, 10, 12, and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art (hereinafter APA) in view of Pesola. Claims 8-9 and 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Pesola and in further view of Chernock. Claims 11 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over APA in view of Pesola and in further view of Bitner.

For the Examiner's convenience and reference, Applicants' remarks are presented in substantially the same order in which the corresponding issues were raised in the Office Action. Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references.

Applicants thank the Examiner for the telephone interview of September 20, 2007. We discussed a proposed amendment. Applicants agreed to submit the amendment for examination.

Amendments to the Claims.

Applicants have amended claims 1-5, 7-10, 12, 19-23, 25, 27, 28, and 30 to consistently refer to the “media library manager” in place of “first device” and “media controller,” “host” in place of “intermediate device,” and “storage device” in place of “second device.” The amendment is well supported by the specification. See page 11, ¶ 35; page 13, ¶ 42.

Applicants have further amended claims 1, 7, 12, 19, 25, and 28 with the limitations of “...distinguish control messages received over the control path at the host by detecting an identifier in the header of the control messages...” and “...wherein each transport data message comprises a Send Simulated Library Message (SSLIM) Small Computer Systems Interface (SCSI) Command Descriptor Block (CDB) that encapsulates a control message in an unaltered form...” Claim 1 as amended. See also claims 7, 12, 19, 25, and 28 as amended. The amendment includes limitations of claims 6, 11, 18, and 24 and as well as matter that is well supported by the specification. See page 15, ¶ 53.

In addition, Applicants have amended claims 7 and 12 with the limitation “...transport data messages comprising a Receive Simulated Library Message (RSLIM) SCSI CDB that encapsulates the control message...” Claim 7 as amended. See also claim 12. The amendment is well supported by the specification. See page 17, ¶ 59. Claims 6, 11, 18, and 24 are canceled.

Response to rejections of claims under 35 U.S.C. § 102.

Claims 1, 4-5, 19, 22-23, 25, and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Pesola. As claims 1, 19, 25, and 28 are amended with limitations of claims 6, 11,

18, and 24, Applicants respectfully traverse this rejection as though rejected under 35 U.S.C. § 102(e) as unpatentable over Pesola in view of Bitner.

Claims 1, 19, 25, and 28 include the limitation “...wherein each transport data message comprises a Send Simulated Library Message (SSLIM) Small Computer Systems Interface (SCSI) Command Descriptor Block (CDB) that encapsulates a control message in an unaltered form...” Claim 1 as amended.

Pesola does not teach a SSLIM SCSI CDB that that encapsulates a control message in an unaltered form. Bitner also does not teach a SSLIM SCSI CDB that that encapsulates a control message in an unaltered form. Applicants therefore submit that claims 1, 19, 25, and 28 are allowable as Pesola and Bitner do not teach each element of the claims. Applicants further submit that claims 4-5 and 22-23 are allowable as depending from allowable claims.

Response to rejections of claims under 35 U.S.C. § 103(a)

Claims 2-3, 20-21, 26-27 and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pesola in view of Chernock. Claims 6 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pesola in view of Bitner. Claims 7, 10, 12, and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over APA in view of Pesola. Claims 8-9 and 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Pesola and in further view of Chernock. Claims 11 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over APA in view of Pesola and in further view of Bitner. Applicants respectfully traverse these rejections.

Claims 7 and 12 include the limitation “...wherein each transport data message comprises a SSLIM SCSI CDB that encapsulates the control message in an unaltered form...” Claim 7 as amended. See also claim 12.

As discussed above, neither Pesola nor Bitner teach a SSLIM SCSI CDB that that encapsulates a control message in an unaltered form. Chernock and APA also do not disclose a SSLIM SCSI CDB that that encapsulates a control message in an unaltered form. Applicants therefore submit that claims 7 and 12 are allowable as Pesola, Bitner, Chernock, and APA do not teach each element of the claims. Applicants further submit that claims 2-3, 8-10, 13-17, 20, 21, 26-27 and 29-30 are allowable as depending from allowable claims. Claims 6, 11, 18, and 24 are canceled.

Conclusion

As a result of the presented remarks and amendments, Applicants assert that the application is in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

/Brian C. Kunzler/

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: September 25, 2007
8 East Broadway, Suite 600
Salt Lake City, UT 84111
Telephone (801) 994-4646
Fax (801) 531-1929